IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANIDGARH

C.W.P. No. 17979 of 2006

Date of Decision: 28.11.2006

Dr. Karan Sharma .... Petitioner

Versus

State of Punjab and others. ... Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

Present : Mr. Jatin Salwan, Advocate,
for the petitioner.

Mr. B.S. Chahal, Assistant Advocate General, Punjab,
for respondent Nos. 1 and 2.

Mr. T.S. Dhindsa, Advocate,
for respondent No.3.

J.S. Khehar, J. (Oral)

On the instructions of Dr. A.S. Thind, Officer-on-Special Duty, office of Director, Medical Education and Research, Punjab, learned counsel for respondent Nos. 1 and 2 states that it has been decided to withdraw the impugned order dated 30.10.2006 (Annexure P/12). Learned counsel for respondent No.3 acknowledges that the petitioner has already been allowed to discharge his duties as Professor ENT.

In view of the above, the claim of the petitioner qua the impugned order dated 30.10.2006 must be deemed to have been conceded by the respondents.

Insofar as the departmental enquiry is concerned, learned counsel for the petitioner states that it is difficult for the petitioner to defend himself as vital relevant documents have not been furnished to the petitioner

despite repeated requests. In this behalf, learned counsel for the petitioner has handed over to us in Court today, a representation made by the petitioner dated 10.11.2006. The same is taken on record and marked as Annexure `A'. A copy of the aforesaid representation has been handed over by the learned counsel for the petitioner to learned counsel for respondent Nos. 1 and 2. Learned counsel for respondent Nos. 1 and 2 undertakes, on the basis of the instructions received from Dr. A.S. Thind, Officer-on-Special Duty, office of Director, Medical Education and Research, Punjab, that the petitioner will be furnished photo copies of all the documents mentioned in his representation dated 10.11.2006 within a period of two weeks from today. It will be open to the respondents to proceed with the departmental enquiry after the petitioner has been furnished the aforesaid documents.

In view of the above, the instant writ petition has been rendered infructuous. The same is, accordingly, disposed of as having been rendered infructuous.

(J.S. Khehar)
Judge

November 28, 2006 (S.D. Anand)
vkd Judge